

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5158

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of extending sanitary sewer service as part of the SE 42nd Street Sanitary Sewer Extension Project at SE Newport Way within the Bellevue Sewer Utility's service area under CIP Project No. S-30; providing for condemnation, appropriation, taking and damaging of land and property rights necessary therefore; providing for the cost thereof and directing the initiation of appropriate proceedings in the manner provided by law for said condemnation.

WHEREAS, the extension of sanitary sewer service from SE 42nd Street SE to Newport Way is part of CIP project S-30 within the Capital Investment Plan, and the City Council has adopted the 1998-2003 CIP Plan creating a budget within the Capital Investment Program Fund/Project No. 4690-521 for S-30; and

WHEREAS, the improvements are necessary to provide for the orderly development of the sewer system which will provide sanitary sewer service to the Eastgate Senior Housing complex and other single family residences that currently do not have access to gravity sanitary sewer facilities; and

WHEREAS, the City Council finds that the public health, safety, necessity and convenience demand that said project be undertaken and that in order to carry out the project it is necessary at this time for the City to acquire interests and rights to the properties described in Exhibits A and B herein; and

WHEREAS, the City Council find and declares it necessary and in the best interest of the public that interests in the land and property rights hereinafter described be condemned, appropriated, taken and damaged for public use, subject to the making or paying of just compensation to the owners thereof in the manner provided by law; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES
ORDAIN AS FOLLOWS:

Section 1. The lands and property rights within the Bellevue Sewer Utility service area, in King County, Washington, described in Exhibit A, attached hereto, and which property description is incorporated by reference as if fully set forth herein, necessary for public sewer purposes, are hereby condemned, appropriated, taken and damaged for such public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

Section 2. The lands and property rights within the Bellevue Sewer Utility service area, in King County, Washington, described in Exhibit B, attached hereto, and which property description is incorporated by reference as if fully set forth herein, necessary for public sewer purposes, are hereby condemned, appropriated, taken and damaged for such public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

Section 3. The cost and expense of acquiring said property rights shall be paid for from the Sewer Utility Fund of the City of Bellevue, special assessments, or from other monies the City may have available or obtain therefor.

Section 4. The City Attorney is hereby authorized and directed to undertake proceedings provided by law to condemn, appropriate, take and damage the land and property necessary to carry out the provisions of this ordinance.

Section 5. This ordinance shall take effect five days after its passage and legal publication.

Passed by the City Council this 2nd day of August, 1999, and signed in authentication of its passage this 2nd day of August, 1999.

(SEAL)

Mike Creighton, Mayor

Approved as to form:
Richard L. Andrews, City Attorney

Richard L. Kirkby, Assistant City Attorney
Attest:

Myrna L. Basich, City Clerk
Published August 6, 1999